IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH,

AT HYDERABAD

HON'BLE SRI JUSTICE V.V.S. RAO

W.P. No. 20409 OF 2005

Date: 27.09.2005

BETWEEN:

Smt. B. Laxmamma Yadav

.... PETITIONER

Vs.

1. The Commissioner, Kukatpally Municipality, Kukatpally, Ranga Reddy District, and another.

.... RESPONDENTS

HONOURABLE SRI JUSTICE V.V.S. RAO

WRIT PETITION NO. 20409 OF 2005

ORDER:

The petitioner is a resident of Hanuman Nagar, Jagatgiri Gutta, Balanagar Mandal, Ranga Reddy District. She filed the writ petition alleging that the officials of the first respondent are bent upon demolishing her house, without affording any opportunity. It is further stated that the second respondent filed a writ petition being W.P.No.3343 of 2004, which was disposed of by this Court on 10.12.2004. In the guise of implementing the said orders, the officials of the first respondent are taking steps for demolition of the house.

Heard learned counsel for the petitioner and learned Standing Counsel for Kukatpally Municipality. The second respondent filed W.P. No.3343 of 2004 seeking a direction to the first respondent herein to remove the alleged illegal encroachment made by the petitioner

herein. The petitioner was shown as respondent No.4 in the said writ petition. On 10.12.2004 this Court disposed of the said writ petition directing the first respondent to consider the representation made by the second respondent herein and take steps in accordance with law. The petitioner alleged that no such notice was issued. The learned Standing Counsel however submits that the petitioner has encroached on the road portion and made constructions, and therefore action is being initiated. Both the counsel do not deny that the first respondent issued notice to the petitioner on 22.9.2005. In that view of the matter the Writ Petition is disposed of at the admission stage in the following manner.

The petitioner is given liberty to file a representation/explanation to the notice, if not already filed. The first respondent shall consider the representation and if necessary, inspect the area and take appropriate action against the petitioner as well as others, who have encroached upon the road as alleged. This exercise may be completed within a period of two weeks from the date of receipt of a copy of this order. Till the action is completed, the respondent shall not take any coercive steps against the petitioner.

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(**V.V.S. RAO, J.)**

27th September, 2005

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